

## The Toronto World

FOUNDED 1881.

A Morning Newspaper Published Every Day in the Year.  
WORLD BUILDING, TORONTO.  
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Readers of the World will confer a favor upon the publishers if they will send information to this office of any new stand or railway train where a Toronto paper should be a sale and where The World is not offered.

### TUBE RAILWAY COMFORTS.

What a satisfaction it will be, as the bad weather with which we are threatened this morning descends upon the city, for thousands of citizens to contemplate the convenience and comfort of a tube railway system with plenty of room, dry, airy, well-ventilated, warm, well-lighted cars, and a speedy passage from the suburbs, giving anywhere up to half an hour extra time over breakfast every morning.

The Street Railway Company think people like to stand up in crowds, wedged in, damp and shivering, hanging on straps, having their toes trodden on, and their secret corners ravaged, their dignity ignored, and themselves treated merely as appendages of the street-railway directorate. This is where the Street Railway Company fails to do business in a business-like way. The railway company does not deliver the goods. The public has discovered that the company does not want to deliver the goods, and the public is going to establish a delivery system of its own.

Controlled. Hocken's tube proposal is the first step in that direction. It means a revolution in street railway traffic, and a bigger, brighter, better Toronto, less dependent on weather and distance, and more efficient for mercantile and domestic requirements.

### MRS. SNOWDEN'S VISIT.

Lady Gay makes the statement in Saturday Night that the only women who want votes are those unable to influence men in other ways. Mrs. Philip Snowden is a living refutation of this cheap sneer, which is born of the descent to personalities common when logic is lacking.

Mrs. Snowden represents that finest type of women which is the product of the new era of education and refinement in England. Innumerable grades separate the ignorant and unrefined, thru the classes of unrefined intelligence and refined ignorance, from the refined and cultivated. The social butterfly world which brought France to a revolution in the 18th century, is summing its wings in the luxury of British high life to-day, and the result is the revolutionary struggle going on at present in the motherland of democracy.

It is these parasites, says Mrs. Snowden, who have precipitated the present crisis. They have held the keys of the door of knowledge, but would neither enter in themselves nor allow others to enter. They have had the keys of power and would neither vote nor allow others to vote. What the wealthy, and refined and socially distinguished classes might have done in England, had they listed, is now left for another age and generation. They have neglected

ed their opportunity and now they will lose it.

Mrs. Snowden attaches the deepest significance to the alliance of the Liberal and Liberal parties to eliminate the triangular contests. With all the selfish policy of the reactionary peers she regards their defeat as certain. Only one regret remained. She wished that Mrs. Pankhurst could withdraw her opposition to the government and its budget policy. The suffragist cause is being promoted thru both parties, but the Liberals are individually almost to a man pledged to the suffrage policy. An undertaking to deal with the question in the next parliament, Mrs. Snowden believes, would rally the suffrage party to the government side.

Premier Asquith has already undertaken to deal with women's suffrage as part of a general measure of electoral reform and some compromise may be reached.

### MAKE PROPER USE OF THE PENSION FUNDS.

Ratepayers expect "value received" for whatever expenditures they may be made liable for by the city council. That being so, the police commissioners made a good beginning yesterday in taking advantage of the strengthening of the pension fund by a civic grant.

Ten thousand dollars a year for 40 years is a pretty good amount of money. The chief argument used for its provision was that it would permit older and less efficient members of the force to be retired on a sufficient annual allowance to live in some comfort. There is a good deal of sentiment about this, of course. No one is compelled to be a policeman and if a man chooses that career, he might without hardship be expected to provide for his future. Still no one will deny that it seems heartless to dismiss a man who has served faithfully and well during his prime just because he has grown old and infirm in that service.

But now that the way is made easy for retirements, it is only proper that younger, more active and more efficient men take the places of those who should suitably be retired. A civic appointment is supposed to ensure the maximum of efficiency. In some instances, it would seem that a civic salary—and a handsome one, too—had been employed really as a pension; in at least one case, if report be true, a special position created at an advance of salary is to be abolished as soon as its present occupant vacates.

The same thing is true of the fire department. A long time ago, the city granted \$8000 a year for a long period to provide for a pension fund for the oldtimers. Since then there have been but two or three cases of men taking advantage of the civic generosity. It was not denied at the time that several men of the department—men with long and honorable records—had yielded to the ravages of time and exposure and were not in a physical condition to give the efficient service that was to be rightfully expected. But, despite the opportunity that was made for their comfortable and honorable retirement from active service, not-

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ing has been done to carry out the promises then given or implied.

In both the police and fire departments, the retention of those fully entitled in their own and the city's interest to pension is not only an injustice to the taxpayers, but it is an injustice to the younger and growing elements in both forces, who are compelled, thru lack of openings for advancement, to spend their best days in inferior grades, thus throttling their ambitions, depriving their capabilities of a sufficient field for exercise and adding mighty little to the bank reserves they are in great measure expected to depend upon when their day, too, for enforced retirement has come.

Perhaps the outcome some day will be the establishment of civil service rules that will do away with the personal and sentimental side of such matters, and substitute strict conformity to a set standard of requirements.

### FROM POSEY TO BOUQUET.

Premier Whitney has gathered the last rose of summer in North Middlesex, and is to be congratulated on the addition of Mr. J. W. Doyle to the sumptuous Conservative bouquet which adorns Queen's Park. The little posey of Hon. A. G. MacKay is proportionately diminished, and there appears to be slight hope of its replenishment on the system of political floriculture adopted by the provincial Liberals.

Wherever Premier Whitney holds strong ground the opposition leader chooses to attack him, as witness the hydro-electric power policy, which is responsible as much as anything for the loss of North Middlesex to the Liberals. The Liberal rank and file are no fools.

### THE BANK OF MONTREAL.

No better criterion of the true position of a nation in the world economy can be afforded than the place held by its banking institutions. Judged by that standard, Canada ranks high among civilized nations. That it does so is due to the Bank of Montreal, which admittedly takes place among the greatest financial institutions of the North American continent.

In another column will be found the results of the year's trading. It shows that the profits were \$1,855,167, whereas \$1,440,000 was distributed as dividends and the balance carried forward to the credit of profit and loss account. This is remarkable in a year that suffered from the depression which characterized its opening and is not yet entirely removed.

Sir Edward Clouston's address provided an admirable epitome of Canadian conditions. His estimate was wholly favorable and it was confirmed by the remarkable figures quoted in Sir Edward Clouston's address, showing the expansion of the Canadian west. This formed the main theme on which the enlarged and his counsels and warnings should be noted by all who have the true interest of Canada at heart.

## AT OSGOOD HALL

### ANNOUNCEMENTS.

Osgood Hall, Dec. 7, 1909.  
Motions for adjournment for single court for Wednesday, 8th inst., at 11 a.m.:  
1. Re Queen City P. G. & M. Co. (Bank of Nova Scotia claimant).  
2. Re Queen City P. G. & M. Co.  
3. Tough v. Dominion Nickel Co.  
4. McCulla v. Dunnville.  
5. S. S. No. 1, Sturgeon Falls, v. Sturgeon Falls.  
6. Baxter v. Young.  
7. Wood v. Cobourg.  
8. Stewart v. Dickson.  
9. Broom v. Toronto.

Peremptory list for divisional court for Wednesday, 8th inst., at 11 a.m.:  
1. McAlpin v. Fleming (to be continued).  
2. Stockwell v. Doly.  
3. Gunn v. Miller.  
4. Crowe v. Cooper.  
5. Reid v. Toronto Railway Co.  
6. Garoni v. Edmondson.

### Non-Jury Assizes.

Peremptory list for non-jury assize court, Wednesday, Dec. 8, at city hall, at 10.30 a.m.:  
1. Hubert v. Home Bank.  
2. McCabe v. Bell.  
3. Schroeder v. Donatt.  
4. Schroeder v. Hallman.

### Non-Jury County Court.

Peremptory list for non-jury county court, before Judge Denton, Wednesday, Dec. 8, at city hall, at 10.30 a.m.:  
1. Wade v. Denis.  
2. Eila v. Monid.  
3. Hough v. J. J. Co., Ltd., v. Morley.  
4. Kirby v. Rosar.  
5. Forbes v. Big Cities Realty & Agency Company.  
6. Britnell v. Cupples.

### Master's Chambers.

Before Cartwright, K.C. Master.  
Ryckman v. Randolph, C. C. Robinson, for plaintiff, moved for amendment of writ of habeas corpus and for a concurrent writ for service out of the jurisdiction. Order made.

Re Hurd and Royal Templars—L. Lee (Hamilton) for the society, moved for order for payment into court of \$500, consent for order dismissing action without costs against the defendants, other than Harry Maughan. Order made.

Williams, Greene & Rome Co. v. Costello—B. H. Ardagh, for plaintiffs, moved for judgment under C.I.T. 96. No one contra. Order made as asked.

Dodd v. Gas Electric—H. M. Ferguson, for plaintiff, moved for judgment under C.I.T. 96. M. C. Cameron for defendants. Order made.

Dunmore v. National Portland Cement Co. W. E. Ranky, K.C., for plaintiff, moved to add the C. P. Ry. Co. as defendants. No one contra. Order made. Costs in the cause.

Dominion Bank v. Maughan—Hughes (Muelck & Co.), for plaintiff, moved on consent for order dismissing action without costs against the defendants, other than Harry Maughan. Order made.

Matthews v. Moscop—Davidson (Aylesworth & Co.), for defendant, moved on consent for an order vacating certificate for its pendens. Order made.

### Judge's Chambers.

Before Meredith, C.J.  
Re Warlick, K. W. Harcourt, K.C., for executors, S. and A. Wilson, moved for leave to pay \$88 into court to the credit of three infants, and for payment out at majority. Order made, but not to issue until affidavit as to age filed.

Re Barron Brick Co.—J. H. Moss, K.C., for petitioner, W. B. Templeton, moved for a winding-up order. H. R. Frost, for company, asked for two weeks' enlargement. H. S. White for another petitioner. Enlarged until 17th December.

Re Hope, Bingham v. Central Ontario Railway—A. C. McMaster, for sheriff of County of Hastings (Geo. F. Hope), asked enlargement of motion for order settling amount to which sheriff is entitled for his fees, poundage and expenses in respect of certain writs of fieri facias in his hands, or for an order referring the question of the sheriff's compensation to the sending officer. P. Gault, K.C., for plaintiffs. J. H. Moss, K.C., for defendants. Enlarged until 17th January, 1910.

Re A. T. Short, Limited—G. E. McCann, for petitioner, on motion for a winding-up order, asked enlargement. Enlarged sine die, to be brought on two days' notice.

The King v. Dawson—B. H. Ardagh, for the crown, on application to quash conviction for breach of bylaw relating to fire limits in the Town of Little Current, asked enlargement. McGregor Young, K.C., for defendant, contra. Enlarged until 17th January next.

Re Wardell, Limited—J. Montgomery, for committee, moved for order confirming report of local master at Woodstock, and for discharge of committee, J. F. Dugger, for inspector of prisons and public charities, enlarged until 17th inst.

Re Hounan—F. W. Harcourt, K.C., for infant, moved for an order for payment out to infant of \$250 to infant's credit in court. Reserved that authorities may be given.

Felice v. McMillan—J. H. Mowat, K.C., for plaintiff, appeared from order of master in chambers of 2nd December, 1909, striking out certain paragraphs of plaintiff's reply. A. W. Balastrone, for Ontario and Northern Construction Co., K. H. Parmenter, for McMillan & Co., contra. Appeals dismissed. Costs to defendants in any event.

Re Heaton—A. C. McMaster moved to confirm report of master at Barrie of 18th November, 1909. Report continued, subject to money being paid into court, except so much as recommends that the estate be invested in mortgages, to remain in the hands of the committee.

Hogie v. Lapierre—Grayson Smith, for defendant, moved for leave to appeal from order of Latchford, J., of 30th November, 1909, affirming the order of the local master, refusing to order security for costs. D. W. Saunders, K.C., for plaintiff, contra. Leave to appeal refused. Costs to respondent in any event. Time extended one week to the defence. Vacation not to count in proceedings thereon or examinations.

### Single Court.

Before Latchford, J.  
Pang Sing v. City of Chatham—H. L. Drayton, K.C., for defendants, on motion to commit Ernest Fremlin, manager of the Dominion Express Company, at Chatham, for his refusal to produce books and records of the company in his custody under subpoena duces tecum and notice to produce, and to answer questions relating to the sending to China by the plaintiff and other Chinese, thru his company, of large sums of money realized from their business, that of laundrymen, which the bylaw attacked by the plaintiff was passed to regulate. S. Denison, for Fremlin, contra. Judgment. The true test is, whether the bylaw is valid or not is whether the municipal council passed the bylaw in the bona fide exercise of the powers conferred by Sub-sec. 23 of sec. 283 of the Municipal Act. The validity of the bylaw depends not on the profitability or the profitable nature of the business of the plaintiff and others affected, but on the good faith of the council which passed the bylaw. In this view, the evidence sought from Mr. Fremlin cannot be relevant or material to the question at issue. I therefore think the application fails. It is not a case for costs.

### Divisional Court.

Before the Chancellor, Magee, J., Latchford, J.  
Smith v. City of London—E. F. B. Johnston, K.C., and J. M. McEvoy (London), for plaintiffs, on appeal from the judgment of Riddell, J., dated 4th May, 1909. E. E. A. DuVernet, K.C., and A. H. F. Letroy, K.C., for defendants, contra. R. Cartwright, K.C., for the Attorney-General of Ontario. The Attorney-General for Canada did not appear. Argument of appeal resumed from yesterday and concluded. Judgment reserved.

McAlpin v. Fleming—E. E. A. DuVernet, K.C., for plaintiff, on appeal from the judgment of Tietzel, J., of 25th June, 1909. D. L. McCarthy, K.C., and P. McCarthy, for the individual defendants, Fleming, Stuart and Peuchen. No one for the defendant company. This action was brought in the name of the McAlpin Tobacco Company, on behalf of the plaintiff, who was the purchaser of all the assets and property of that company, in January of February, 1908, the defendant company, who had reached a stage in its affairs when it had become impossible to profitably continue its operations, and after some efforts made to realize upon the property by tender, it was purchased by McAlpin. The defendant company, in a considerable amount, but there did not appear in the eyes of the trial judge to be disclosed any personal liability against these three defendants for the very substantial amount now claimed against them. The action was dismissed at the trial as against the three individual defendants, and judgment given for the defendant company for \$338.04 and costs. Plaintiffs now appeal from that judgment. Not concluded.

### Writs Issued.

G. B. Ryan of Quebec against the Grand Trunk Railway Company to recover \$30,000 damages for loss of a passenger on the defendants' railway. Acting for Mrs. Catherine White, C. E. Macdonald, for plaintiff, moved a writ against the city to recover \$2000 damages for injuries alleged to have been due to an unprotected opening in the yard in the rear of the jail.

### JOHN BUNYAN.

The World desired to give an opportunity to those who might wish to take part in the great British memorial to one of the very greatest of Englishmen, the author of "The Pilgrim's Progress," by the contribution of some small amount from Toronto. A sum of \$7000 is required for the window that is to be placed in Westminster Abbey, and half this amount has been collected. Ten cents would be enough to give one a share in the glorious lighted lights that will shine in the northwest tower in honor of the inspired thinker. That is how the little boy felt who wrote, "I am sending ten cents for the window, and I hope it will have Great Heart in it killing the giant manna read about." The list will close on Friday, and it looks as the Toronto might scrape up \$5 for the fund. Who will help?

### WINNIPEG NOMINATIONS.

Mayor Evans Has Two Opponents—Six for Board of Control.

WINNIPEG, Dec. 7.—(Special).—Nomination proceedings were very quiet at the city hall to-day. Of seven aldermanic vacancies, three were filled by acclamation, and the same result occurred with four vacancies for school trustee.

The present mayor will have two opponents, E. Betsworth and Charles R. Wilkes. The former desires for his support on socialist and labor element. Wilkes is an estimable citizen of some what advanced years, well known in civic circles. Neither of the opponents of Mayor Evans is taken seriously.

For the board of control there will be a contest which promises to be spirited. In addition to the four present members of the board, there are two other candidates, Thos. Wilson, formerly alderman, and now member of the parks board, and A. W. Puttee, ex-M. P.

### CONMEE MUST GIVE GUARANTEE.

PORT ARTHUR, Dec. 7.—Jogies Conmee will submit his power proposition to council to-morrow, and it and the Ontario Hydro-Electric Commission's agreement in the form of by-laws, will be submitted at the municipal election. Conmee will be asked to provide a guarantee that he can carry out his offer.

### TO ASSIST FARM DRAINAGE.

Novia Scotia Government Has a Scheme Under Consideration.

HALIFAX, N.S., Dec. 7.—The department of agriculture of Nova Scotia has under consideration a drainage scheme to assist the farmers of the province. Under its provisions a farmer will be able to get his land scientifically drained by paying the government 2

### C.P.R. Secretary Weds.

MONTREAL, Dec. 7.—(Special).—Walter R. Baker, secretary of the C.P.R., was married to-day in New York to Miss Elsie Dick. His bride comes from Vienna, Austria. It is Mr. Baker's third matrimonial venture.

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## A Few of the Better Qualities in Men's College Ulsters

We are showing a gratifying assortment of new fabric effects in high-grade woollens that will prove immensely interesting to men with a new winter overcoat in mind. Cloths that are thick and warm, in smart patterns and colorings that express the latest fashions.

Superb tailoring and careful finish characterize every coat, and the broad, full lines on which they are cut give them excellent style. A quartette of price examples:

<b>At 12.50</b> —Double-breasted ulster with military collar, materials are 30-ounce fancy chevrons in green and greys, with large overlaid patterns, linings of good wearing quality; sizes 35 to 44. <b>12.50</b>	<b>At 18.00</b> —Double-breasted motor ulster in a plain bronze, or a green striped cheviot, 50 inches long, military collar, cuff on sleeve, good full skirt, strong twilled linings. <b>18.00</b>
<b>At 15.00</b> —Heavy winter weight ulster in dark brown fancy cheviot, 30-ounce material, long college style, single-breasted, fly front, military collar, linings of nice quality Italian cloth. <b>15.00</b>	<b>At 21.00</b> —American made college ulsters of 27-ounce fancy cheviot, grey and fawn shades, with shadow stripe, single-breasted button through effect, military collar, cuff on sleeve, half belt straps, good trimmings. <b>21.00</b>

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